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5 **UNITED STATES DISTRICT COURT**
6 **DISTRICT OF NEVADA**
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9 COLBERT F. NICHOLS,

10 Plaintiff,

11 v.

12 ROBERT BANNISTER, et al.,

13 Defendants.
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2:09-cv-1698-LDG-GWF

ORDER

15 On March 23, 2012, this court deferred addressing defendants' motion for summary
16 judgment to afford plaintiff the opportunity to conduct additional discovery as ordered by the
17 magistrate judge (#48). On April 26, 2012, plaintiff filed his supplemental response to
18 defendants' motion for summary judgment (#49). On June 6, 2012, defendants moved to reinstate
19 their motion for summary judgment, supplemented it with additional points and authorities, and
20 responded to plaintiff's supplemental response (#50). On August 31, 2012, plaintiff filed a
21 statement in which he stated that he had responded on April 11, 2012, to defendants' motion. (by
22 which he must mean his supplemental response to defendants' motion for summary judgment).
23 The court notes that the docket indicates no filings from plaintiff between his April 26, 2012
24 (#54), supplemental response and his August 31, 2012, statement (#54).¹ Good cause appearing,
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26 ¹It is unclear whether plaintiff was referring in his August 31, 2012, statement to his supplemental response to defendants' motion for summary judgment, or some other attempted filing. In any event, the court's allowance of an additional opportunity for plaintiff to respond to the current

1 THE COURT HEREBY ORDERS that defendants' motion to reinstate their motion for
2 summary judgment along with their supplemental authorities (#50) is GRANTED. The clerk's
3 office shall docket the reinstated motion for summary judgment and the supplemental authorities
4 as of the date of this order.

5 THE COURT FURTHER ORDERS that plaintiff shall have sixty (60) days from the filing
6 of this order in which to file any points and authorities in opposition to defendants' reinstated
7 motion for summary judgment and the supplemental authorities. Defendants shall have thirty (30)
8 days from the filing of any opposition by plaintiff in which to file a reply.

9 THE COURT FURTHER ORDERS that plaintiff's self-styled motion to dismiss
10 defendants' motion for summary judgment (#32) is DENIED as moot.

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12 Dated this 17 day of September, 2012.

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15 Lloyd D. George
16 United States District Judge
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26 record eliminates any prejudice to plaintiff regarding the briefing.